



Federal Communications Commission
Washington, D.C. 20554

DA 07-1095

March 8, 2007

Mr. David M. Drucker
Manager, ATCONTACT Communications, LLC
2539 N. Highway 67
Sedalia, CO 80135

Re: ATCONTACT Communications, LLC, Amendment to
Application for Modification of Assigned Orbital Location from
83° W.L. to 87° W.L. and for the Addition of Ka-band
Frequencies, File Nos. SAT-AMD-20060626-00068 and SAT-
AMD-20060905-00098 (Call Sign S2680).

Dear Mr. Drucker:

This letter refers to the above-referenced applications filed by ATCONTACT Communications, LLC (ATCONTACT). ATCONTACT seeks to modify the assigned orbital location for one of its geostationary fixed-satellite service (GSO FSS) satellites in its licensed system from 83° W.L. to 87° W.L. and to add Ka-band frequencies.¹ As set forth below, we dismiss the applications as incomplete without prejudice to refiling.

Sections 25.112(a)(1) and (2) of the Commission's rules require the Commission to return, as unacceptable for filing, any application that is not substantially complete or does not substantially comply with the Commission's rules.² Section 25.114(d)(14)(iii) of the Commission's rules provides that each application for a new or modified space station authorization must include an assessment as to whether there are any known satellites at, or reasonably expected to be located at, the requested orbital location, and if so, provide the identities of the parties and measures taken to prevent collisions.³ ATCONTACT's application indicates that "@contact is in the process of determining non-U.S. licensed satellites in operation at its orbital location."⁴ Consequently, the debris mitigation statement is incomplete.

In addition, section 25.210(c) of the Commission's rules requires all fixed-satellite service space stations to have a minimum capability to change transponder saturation flux densities by ground command in 4 dB steps over a range of 12 dB.⁵ ATCONTACT's application failed to include the required information on gain step capabilities for its space station. Moreover, ATCONTACT did not request a waiver of this rule. Accordingly, ATCONTACT's applications to modify the assigned orbital

¹ contactMEO Communications, LLC, *Order and Authorization*, 21 FCC Rcd 4035 (Int'l Bur. 2006).

² 47 C.F.R. § 25.112(a)(1) and (2).

³ 47 C.F.R. § 25.114(d)(14)(iii). *See also*, International Bureau Satellite Division Information, Disclosure of Orbital Debris Mitigation Plans, Including Amendment of Pending Applications, *Public Notice*, 20 FCC Rcd 16278 (Sat. Div., Int'l Bur. 2005).

⁴ ATCONTACT Communications, LLC, File No. SAT-AMD-20060905-00098, Technical Appendix, at 24-25.

⁵ 47 C.F.R. § 25.210(c).

location of its GSO satellite to 87° W.L. and add Ka-band frequencies at that location, File Nos. SAT-AMD-20060626-00068 and SAT-AMD-20060905-00098, are dismissed without prejudice to refiling.⁶

Further, while not a ground for dismissal, we note that ATCONTACT may wish to clarify certain portions of its application if it chooses to refile. ATCONTACT states it will accommodate co-location at this orbital location by operating its satellite at "non-zero inclination and eccentricity ... assuming the other satellite is kept to a tight zero-degree box."⁷ To expedite processing of any refiled application, ATCONTACT should provide additional information as to the specific technical parameters intended by the term "tight zero degree box," and an assessment of whether the assumption represents a realistic assumption for space station operations.

Accordingly, pursuant to Section 25.112(a)(1) of the Commission's rules, 47 C.F.R. § 25.112(a)(1), and Section 0.261 of the Commission's rules on delegations of authority, 47 C.F.R. § 0.261, we dismiss ATCONTACT's applications without prejudice to refiling.

Sincerely,

Robert G. Nelson
Chief, Satellite Division
International Bureau

⁶ Applications returned to applicants for additional information will not require an additional fee when resubmitted, if the resubmitted application is identical to the returned application except for the missing information. *See* 47 C.F.R. § 1.1109.

⁷ ATCONTACT Communications, LLC, File No. SAT-AMD-20060905-00098, Technical Appendix, at 25.